Thomas A. Matthews, ABA No. 8511179 Matthews & Zahare, P.C. 431 West 7<sup>th</sup> Ave., Suite 207 Anchorage, Alaska 99501 Phone: (907) 276-1516

Facsimile: (907) 276-8955

tom.matthews@matthewszahare.com

Counsel for Plaintiff Davis

## IN THE UNITED STATES DISTRICT COURT

## FOR THE DISTRICT OF ALASKA

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## NOTICE OF TAKING DEPOSITION DUCES TECUM

TO: Marilyn J. Kamm, Esq.
Assistant Attorney General
State of Alaska, Dept. of Law
Criminal Division Central Office
P.O. Box 110300
Juneau, AK 99811

PLEASE TAKE NOTICE that at **9:30 a.m.** on **May 22, 2006**, at the offices of Matthews & Zahare, P.C., 431 West 7<sup>th</sup> Ave., Suite 207, Anchorage, Alaska. Phone: (907) 276-1516, counsel for Plaintiff, pursuant to Fed. R. Civ. P. 26 and 30, will take the oral deposition of **Roger Hale** upon oral examination before a Notary Public or other person qualified to take oaths.

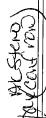


Exhibit 5
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Pursuant to Fed. R. Civ. Pro. 30(b)(5), the witness is requested to bring with him copies of the following documents:

- Copies of all documents relating to Defendants' consideration of Plaintiff Charlie Davis' grievance and grievance appeal. This request specifically includes, but is not limited to, copies of staff meeting minutes at PCC and Medical Advisory Committee meeting minutes, notes, emails, and communications of any kind.
- Copies of all daily staff meeting minutes for Palmer Correctional Center for the period of April 22, 2002 through October 23, 2002.
- Copies of all Medical Advisory Committee meeting minutes where Charlie Davis was discussed. This includes, but is not limited to, copies of meeting minutes for the time period April 3, 2002 through December 1, 2002.
- Copies of any and all Medical Advisory Committee meeting minutes where care of inmates with heart conditions was discussed.
- Copies of all Medical Advisory Committee meeting minutes where the care of inmates with implanted defibrillators was discussed.
- Copies of all Medical Advisory Committee meeting minutes where the care of inmates taking Coumadin was discussed.

The examination will continue from day to day until completed. You are invited to attend and cross examine if you so desire.

Notice of Taking Deposition (Hale) Davis v. Hyden, et. al., Case No.: A02-0214 CV (JKS) TAM:jlw\103-2\NotDepoHale

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day of May 2006, at Anchorage, Alaska.

MATTHEWS & ZAHARE, P.C. Counsel for Plaintiff Davis

> Thomas A. Matthews ABA No. 8511179

CERTIFICATE OF SERVICE
I certify that on May 2006 a copy of the foregoing document was served by fax and mail to:

Marilyn J. Kamm, Esq. **Assistant Attorney General** State of Alaska, Dept. of Law Criminal Division Central Office P.O. Box 110300 Juneau, AK 99811

Notice of Taking Deposition (Hale)

Davis v. Hyden, et. al., Case No.: A02-0214 CV (JKS)

TAM:jlw\103-2\NotDepoHale

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